



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **BRIAN MOTYKA**

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS MOTYKA PLED GUILTY TO FOLLOWING DEPARTMENTAL CHARGES AND SPECIFICATIONS, ARISING FROM AN INCIDENT ON OR ABOUT NOVEMBER 18, 2009:

ALLEGATION(S):

1. MOS MOTYKA, WHILE ASSIGNED TO THE 94TH PRECINCT, WHILE ON DUTY, HAVING TAKEN PROPERTY INTO CUSTODY, DID THEREAFTER FAIL AND NEGLECT TO PROPERLY SAFEGUARD SAID PROPERTY, TO WIT: A PAIR OF EARRINGS AND A NECKLACE, IN THAT MOS MOTYKA FAILED TO DELIVER SAID PROPERTY TO THE DESK OFFICER OF THE PRECINCT WHERE OBTAINED, AS REQUIRED, RESULTING IN ITS LOSS.
2. MOS MOTYKA, WHILE ASSIGNED TO THE 94TH PRECINCT, WHILE ON DUTY, HAVING TAKEN PROPERTY INTO CUSTODY, TO WIT: A PAIR OF EARRINGS AND A NECKLACE, DID THEREAFTER FAIL AND NEGLECT TO PREPARE A PROPERTY CLERK INVOICE WORKSHEET AS REQUIRED.
3. MOS MOTYKA, WHILE ASSIGNED TO THE 94TH PRECINCT, WHILE ON DUTY, HAVING BEEN DIRECTED BY NEW YORK CITY POLICE SERGEANT KNOWN TO THE DEPARTMENT TO INVOICE THE CONTENTS OF AN ENVELOPE CONTAINING A PRISONER'S PROPERTY, DID FAIL AND NEGLECT TO COMPLY WITH SAID ORDER TO INVOICE SAID PROPERTY.
4. MOS MOTYKA, ASSIGNED TO THE 94TH PRECINCT, WHILE ON DUTY, DID FAIL AND NEGLECT TO ACCURATELY REPORT HIS ACTIVITIES IN HIS ACTIVITY LOG, AS REQUIRED.

CASE STATUS: CLOSED ON 09/17/2012

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/06/2019, AGAINST MOS MOTYKA: ALLEGATION(S):

1. FAIL TO NOTIFY SUPERVISOR

CASE STATUS: CLOSED ON 03/15/2019

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 01/02/2020, AGAINST MOS MOTYKA:
ALLEGATION(S):

1. MISSING DEPARTMENT EQUIPMENT - SUMMONS - NOT ISSUED
2. FAIL TO SAFEGUARD DEPARTMENT EQUIPMENT - SUMMONS - NOT ISSUED

CASE STATUS: CLOSED ON 02/11/2020

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE, VERBAL INSTRUCTIONS

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB CASE: 200900925

REPORT DATE: 01/21/2009

INCIDENT DATE: 01/17/2009

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE— PEPPER SPRAY
2. DISCOURTESY – WORD

NYPD DISPOSITION: INSTRUCTIONS

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